

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**PROMOTIONAL TECHNOLOGIES,
LLC,**

Plaintiff,

v.

FACEBOOK, INC. AND ZYNGA, INC.,

Defendants.

Case No. 3:11-cv-03488-P

PATENT CASE

JURY TRIAL DEMANDED

**STIPULATION AND AGREED EXTENSION OF TIME TO SERVE
INFRINGEMENT AND INVALIDITY CONTENTIONS AND DOCUMENTS**

IT IS HEREBY STIPULATED by the undersigned parties, subject to the approval of this Court, that the time for Promotional Technologies, LLC to serve its Asserted Claims and Preliminary Infringement Contentions and produce the documents associated therewith pursuant to Miscellaneous Order No. 62, 3-1 and 3-2 is extended up to and including **February 22, 2013**.

IT IS FURTHER STIPULATED by the undersigned parties, subject to the approval of this Court, that the time for Facebook, Inc. and Zynga Inc. to serve their Federal Rule of Civil Procedure 26(a)(1) Initial Disclosures is extended up to and including **March 8, 2013**, and that the time to serve their Preliminary Invalidity Contentions and produce the documents associated therewith pursuant to Miscellaneous Order No. 62, 3-3 and 3-4 is extended up to and including **April 22, 2013**.

Respectfully submitted,

s/ Jay B. Johnson

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See Attached

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ATTORNEYS FOR DEFENDANT
FACEBOOK, INC.

AGREED TO BY:

/s/ Sarah E. Piepmeier

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ATTORNEYS FOR DEFENDANT

ZYNGA, INC.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing document has been forwarded to counsel for defendants in accordance with the Federal Rules of Civil Procedure on this the 8th day of February, 2013.

s/ Jay B. Johnson
JAY B. JOHNSON

Samantha Cooper

To: Jay Johnson
Subject: RE: Promo Tech v. Facebook, et al., 11-cv-03488

From: Norberg, Jeffrey [<mailto:jnorberg@cooley.com>]
Sent: Thursday, February 07, 2013 12:34 PM
To: Piepmeier, Sarah E.; Jay Johnson
Cc: Brad Kizza; 'cdavis@chelseadavispc.com'
Subject: RE: Promo Tech v. Facebook, et al., 11-cv-03488

Hi Jay,

Facebook also agrees to the extension outlined by Sarah, below.

Thanks,

Jeff

From: Piepmeier, Sarah E. [<mailto:sarah.piepmeier@kirkland.com>]
Sent: Thursday, February 07, 2013 10:15 AM
To: 'jay@brownfoxbill.com'; Norberg, Jeffrey
Cc: 'brad@brownfoxbill.com'; 'cdavis@chelseadavispc.com'
Subject: Re: Promo Tech v. Facebook, et al., 11-cv-03488

Jay,

Sorry for the false start -- I hit send too quickly.

Your proposal is acceptable to Zynga. Specifically, Plaintiff would have a two-week extension for serving its Rule 3-1 and 3-2 disclosures -- until February 22. Defendants would have until March 8 for their Rule 26(a)(1) disclosures and an additional two weeks beyond what's in the current scheduling order for their Rule 3-3 and 3-4 disclosures. Please feel free to forward the paperwork.

Thanks.

Regards,
Sarah

Sarah E. Piepmeier | Kirkland & Ellis LLP
555 California Street | San Francisco, CA 94104
+1-415-439-1976 Direct | sarah.piepmeier@kirkland.com

From: Jay Johnson [<mailto:jay@brownfoxbill.com>]
Sent: Wednesday, February 06, 2013 05:22 PM
To: Piepmeier, Sarah E.; 'jnorberg@cooley.com' <jnorberg@cooley.com>
Cc: Brad Kizza <brad@brownfoxbill.com>; 'Chelsea Davis' <cdavis@chelseadavispc.com>
Subject: RE: Promo Tech v. Facebook, et al., 11-cv-03488

Sara,

Plaintiff requests a two-week extension for serving its Rule 3-1 and 3-2 disclosures making the due date February 22, 2013. I anticipate that this will trigger a request from you to extend the date for your Rule 26(a)(1) disclosures until March 8, 2013 and possibly a similar extension for Defendants' Rule 3-3 and 3-4 disclosures. To the extent Defendants so request, we agree. Please let me know whether Defendants agree to our request and we will handle the paperwork.

Regards,
Jay



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